

APPEAL NO. 021249  
FILED JUNE 27, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on April 11, 2002. The hearing officer determined that the appellant's (claimant) compensable injury of \_\_\_\_\_ (stipulated as a left wrist injury), extends to or includes a cervical spine sprain/strain, but does not extend to or include the claimant's lumbar spine, left shoulder, right wrist or arms (other than the left wrist), and that the claimant had disability as a result of her compensable injury from January 5 through May 8, 2001. The claimant appeals the disability determination on evidentiary sufficiency grounds. The respondent (carrier) responds, urging affirmance. The extent-of-injury determination was not appealed and has become final. Section 410.169.

DECISION

Affirmed.

The hearing officer did not err in reaching the complained-of determination. The disability issue involved a question of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). Review of the record shows that the claimant informed the hearing officer during opening statements that she did not have disability from \_\_\_\_\_, through January 4, 2001, and that she was claiming she had disability from January 5, 2001, through the date of the CCH. In view of the conflicting medical evidence that was presented on the issue of disability, we cannot conclude that the hearing officer's determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA** and the name and address of its registered agent for service of process is

**C.T. CORPORATION SYSTEM  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

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Michael B. McShane  
Appeals Judge

CONCUR:

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Daniel R. Barry  
Appeals Judge

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Thomas A. Knapp  
Appeals Judge